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9 **UNITED STATES DISTRICT COURT**

10 **NORTHERN DISTRICT OF CALIFORNIA, SAN FRANCISCO DIVISION**

11 UNITED STATES OF AMERICA,

Case No. CASE NO. CR 14-215 EMC

12 Plaintiff,

**STIPULATION AND ~~PROPOSED~~
ORDER TO EXTEND STATUS
CONFERENCE DATE FROM MAY 25,
2016 TO JUNE 1, 2016**

13 v.

14 YAOWAPHA RITDET AND STEVE
15 WALTER,

16 Defendants.

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18 This matter is currently set for a Status Conference on Wednesday, May 25, 2016 at 2:30
19 p.m. On May 18, 2016, the Government provided to Defendant Yaowapha Ritdet a proposed Plea
20 Agreement, followed by a slightly revised proposed Plea Agreement on May 19, 2016, to correct
21 an error in the draft provided on May 18, 2016.

22 In order for Ms. Ritdet to understand the terms of the proposed Plea Agreement, it is
23 necessary that it be translated into Thai by a Court Registered Thai Interpreter, and then
24 transmitted to Ms. Ritdet for her review, followed by a discussion with Ms. Ritdet and her counsel
25 with the assistance of a Court Registered Thai Interpreter, and then a follow-up translation of the
26 proposed Plea Agreement into English by the Court Registered Thai Interpreter.

27 Counsel for Ms. Ritdet contacted Benjawan Poomsan Terlecky, a Court Registered Thai
28 Interpreter, who has assisted Ms. Ritdet and her Counsel, both in and out of Court and who is the

1 most familiar with the issues in this case. She also assisted Ms. Ritdet and her Counsel in
 2 translating a prior proposed Plea Agreement for Ms. Ritdet's review and in communicating with
 3 Counsel Ms. Ritdet's questions and concerns. Ms. Terlecky has been present many times before
 4 this Court to assist Ms. Ritdet in understanding the course of the proceedings.

5 Based on Ms. Terlecky's familiarity with the matter, May 19, 2016, Counsel for Ms. Ritdet
 6 contacted Ms. Terlecky to request her assistance in translating the most recent Plea offer from the
 7 government. Ms. Terlecky advised that she was going out of town on May 19, 2016, but would be
 8 able to make the translation of the new Plea Agreement by Tuesday, May 24, 2016, just one day
 9 before the currently scheduled Status Conference. Having a hearing the next day would provide
 10 insufficient time for Ms. Ritdet to review the translated draft and insufficient time for her Counsel
 11 to discuss the terms of the proposed Plea Agreement to determine whether she would willing to
 12 accept its terms, but that one additional week would provide sufficient time for this process to be
 13 completed. Ms. Ritdet's Counsel has spoken with both the government about this timing issue as
 14 well as with Adam Pennella, Counsel for Ms. Ritdet's co-defendant and husband, Steve Walter.
 15 All parties are in agreement that a one-week extension under the circumstances is appropriate.

16 Accordingly, the Parties in the above-captioned case hereby stipulate and jointly
 17 respectfully request,

18 1. That the Status Conference currently set for Wednesday, May 15, 2016 be set over
 19 to Wednesday, June 1, 2016 at 2:30; and

20 2. That, to the extent necessary, the period of delay from May 25, 2016 through June
 21 1, 2016, be excluded in accordance with the provisions of the Speedy Trial Act, 18 U.S.C. §§
 22 3161(h)(7)(A) and (h)(7)(B)(iv), as the ends of justice served by this extension allow for effective
 23 preparation, continuity of counsel and adequate trial preparation, which outweigh the best interests
 24 of the public and the Defendants in a speedy trial.

LAW OFFICES
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1 DATED: May 20, 2016

Respectfully submitted,

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SIDEMAN & BANCROFT LLP

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By: /s/EMILY J. KINGSTON

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EMILY J. KINGSTON

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JAY R. WEILL

ANDREW R. J. MUIR

Attorneys for Defendant Yaowapha Ritdet

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DATED: May 20, 2016

BRIAN STRETCH

Acting United States Attorney

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By: /s/JOSE A. OLIVERA

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JOSE A. OLIVERA

Assistant United States Attorney

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Tax Division

Attorney for Plaintiff United States of America

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DATED: May 20, 2016

Wolf, Pennella & Stevens, LLP

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By: /s/ADAM PENNELLA

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ADAM PENNELLA

JAMES STEVENS

Attorneys for Defendant Steve Walter

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UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA, SAN FRANCISCO DIVISION

UNITED STATES OF AMERICA,

Case No. CASE NO. CR 14-215 EMC

Plaintiff,

v.

~~PROPOSED~~ ORDER GRANTING
STIPULATED REQUEST TO CONTINUE
STATUS CONFERENCE DATE FROM
MAY 25, 2016 TO JUNE 1, 2016

YAOWAPHA RITDET AND STEVE
WALTER,

Defendants.

For the reasons stated by the parties in their Stipulation, the Court finds that the ends of justice are served by:

1. Extending the date for the Status Conference from May 25, 2016 to June 1, 2016, to allow the Court Registered Thai Interpreter sufficient time in which to translate into Thai and transmit the government's proposed Plea Agreement to Ms. Ritdet for her review and comments, and for Ms. Ritdet and her Counsel, with the assistance of the Court Registered Thai Interpreter, to discuss the terms of the proposed Plea Agreement and to determine whether Ms. Ritdet will agree to its terms; and

2. Excluding the period of delay from May 25, 2016 through June 1, 2016, in accordance with the provisions of the Speedy Trial Act, 18 U.S.C. §§3161(h)(7)(A) and (h)(7)(B)(iv), as the ends of justice served by this exclusion allow for effective preparation, continuity of counsel and adequate trial preparation, which outweigh the best interests of the public and the Defendants in a speedy trial.

IT IS HEREBY ORDERED that the Status Conference currently set for May 15, 2016, at 2:30 p.m. shall be continued to June 1, 2016 at 2:30 p.m.

IT IS FINALLY HEREBY ORDERED that the period of delay from May 25, 2016 to June 1, shall be excluded in accordance with the provisions of the Speedy Trial Act, 18 U.S.C. §§3161(h)(7)(A) and (h)(7)(B)(iv), as the ends of justice served by this exclusion allow for effective preparation, continuity of counsel and adequate trial preparation, which outweigh the

1 best interests of the public and the Defendants in a speedy trial.

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3 DATED: May 20, 2016

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6 JUDGE EDWARD M. CHEN

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